The Committee also recommended that the House should sit up to 6-00 p.m. daily and beyond 6-00 p.m. as and when necessary, for the transaction of Government Business.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, we were told in the Business Advisory Committee meeting held yesterday that the Government intends to introduce a Bill in this House regarding maintenance of *status-quo* of all the religious places.

THE DEPUTY CHAIRMAN: I have to make some more announcements.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): How can he mention about the Business Advisory Committee's proceedings in the House?

SHRI GURUDAS DAS GUPTA: I am not referring to the decisions of the Business Advisory Committee.

THE DEPUTY CHAIRMAN: I have finished my business. Let me finish. I have to make an announcement.

LEAVE OF ABSENCE

THE DEPUTY CHAIRMAN: I have to inform Members that the Chairman has received a letter from Shri Jitendrabhai Labhshankar Bhatt to the effect that he is going abroad and will be unable to attend the current Session.

He has also received a letter from Shri Maulana Asad Madni stating that he is going to U.K. for medical check-up and he will also be unable to attend the current Session

Both Members have requested for grant of Leave of Absence from all the sitting of the House during the current Session.

Is it the pleasure of the House that permission be granted to Shri Jitendrabhai Labhshankar Bhatt and Shri Maulana Asad Madni for remaining absent from all the sittings of the House during the current Session?

(No hon. Member dissented)

THE DEPUTY CHAIRMAN: Permission to remain absent is granted.

REFERENCE TO REPORTED DECISION OF U.P. GOVERNMENT TO PROMULGATE AN ORDINANCE RE: RELIGIOUS PLACES.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, I understand that the Government has decided to introduce a Bill ensuring the *status quo* of all the religious places existing since 15th August, 1947. I also understand that this was discussed in the other House. Therefore, Parliament is in the process of making a law. At this point of time, I understand with grave concern that attempts are being made to promulgate an Ordinance to ensure the taking over of land of the disputed areas. I am not referring to Babri Masjid only. The U. P. Government has decided to promulgate an Ordinance to ensure that the purpose of enactment of this law by Parliament is defeated. I express my deep concern.

THE DEPUTY CHAIRMAN: Mr Gurudas Das Gupta, we have to take up Special Mentions.

SHRI GURUDAS DAS GUPTA: Madam, it is a federal country.. *(Interruptions)*

श्री प्रमोद महाजन (महाराष्ट्र): उत्तर प्रदेश की सरकार लोगों द्वारा चुनी हुई सरकार है । उसके किसी काम पर कोई प्रतिबंध नहीं लग सकता जब तक यहां से कानून न (बने...व्यवधान)

SHRI GURUDAS DAS GUPTA: My point is, Parliament is being prevented from discharging its Constitutional responsibility. (*Interruptions*) Parliament is in the process of making the law. Nobody can be allowed to come in the way and try to prevent the enactment of this law by Parliament. If it is allowed, it would mean a grave danger so far as the operation of the Constitution is concerned. (*Interruptions*) It is highly improper on the part of the State Government to indulge in such a Constitutional impropriety. I express my deep concern and place it on record. (*Interruptions*) I would appeal to the President that he should advise the Governor of U.P. and ensure that the Ordinance is not signed by him. (*Interruptions*)

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): The U. P. Government should be dismissed if they do this against the wishes of Parliament. (*Interruptions*)

THE DEPUTY CHAIRMAN: All of you, please sit down. When we reach the river, we will see. I have to take up the listed Business now. (*Interruptions*)

SHRI DIPEN GHOSH (West Bengal): How can a State Government enact a legislation which goes against the law made by Parliament? (*Interruptions*)

THE DEPUTY CHAIRMAN: This matter is closed now. I have to go ahead with the listed Business before me. (*Interruptions*)

SHRI DIPEN GHOSH: Madam, Parliament is supreme. (*Interruptions*) Is it proper on the part of the U. P. Government to circumvent the legislative authority of Parliament? (*Interruptions*)

SHRI SUBRAMANIAN SWAMY: The State Government has to work within the Constitution. (*Interruptions*)

SHRI DIPEN GHOSH: The Home Minister has introduced a Bill in the other House and it is under consideration. (*Interruptions*)

SHRI PRAMOD MAHAJAN: There is no law and there is nothing under discussion. (*Interruptions*)

SHRI DIPEN GHOSH: The Home Minister must take note of it.

THE DEPUTY CHAIRMAN: The Home Minister is taking note, I am sure.

SHRI DIPEN GHOSH: The Home Minister is not attentive. He must take note of it. There is a move on the part of the U.P. Government to circumvent the legislative authority of Parliament. (*Interruptions*)

SHRI GURUDAS DAS GUPTA: I want the Congress Members to support us. Why are they keeping silent? They have to give their support. (*Interruptions*)

श्री राम नरेश यादव (उत्तर प्रदेश) : अगर इसको यह बिल लाना होता तो पहले ले आते . . . (व्यवधान)

SHRI V. NARAYANASAMY (Pondicherry): The Chief Minister of U.P. has given a concession to the VHP to construct the Ram Mandir. It is a shame. (*Interruptions*)

THE DEPUTY CHAIRMAN: All of you, please take your seats. I have to take up the Business now. (*Interruptions*)

SHRI K. G. MAHESWARAPPA (Karnataka): We want the Home Minister to react. (*Interruptions*)

THE LEADER OF THE OPPOSITION (SHRI S. JAIPAL REDDY): Madam, an important issue has been raised in the House. When the Government of India and Parliament of India are contemplating an important piece of legislation in regard to

places of worship, no State Government can think of another piece of legislation to circumvent that particular step. Now that this matter has been raised in the House, it is for the Union Government to react. Those steps must be pre-empted. The U.P. Government is out to circumvent the whole thing. This is very important because it concerns the basic structure of the Constitution. It concerns one of the important pillars of our Constitution. (*Interruptions*).

THE DEPUTY CHAIRMAN: Shri R. K. Karanjia. (*Interruptions*). The Home Minister wants to say something. (*Interruptions*). The Leader is on his feet. (*Interruptions*). Please, Mathur Sahib...

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश): महोदय, रेड्डी साहब ने गैर कानूनी बात कही है । गुरुदास गुप्ता जी ने अपना भाषण करते समय यह कहा कि इस सदन से यह डाइरेक्टिव गवर्नमेंट आफ इंडिया को जानी चाहिये .... (व्यवधान)

SHRI GURUDAS DAS GUPTA: I said, "I request the Rashtrapati to direct the Governor so that this Ordinance does not come into force." I have my own right to say this.

श्री जगदीश प्रसाद माथुर : महोदया, विरोधी दल के नेता ने कहा कि उत्तर प्रदेश सरकार अपने अधिकार के बाहर जाकर केन्द्र की सरकार के ऊपर अधिकार कर रही है । यह सरासर गलत है । दोनों सदन, लोक सभा और राज्य सभा यानि पार्लियामेंट और स्टेट लेजिस्लेचर के क्षेत्र अलग अलग है । यदि कोई ला पार्लियामेंट पास करती है तो "इट विल सुपरसीड ऐवरी ला" । लेकिन उसके पहले आपको रोकने का कोई अधिकार नहीं है । पार्लियामेंट या सरकार या राष्ट्रपति भी एसेम्बली को यह नहीं कह सकते कि तुम कानून पास न करो ।

SHRI A. G. KULKARNI (Maharashtra): Madam, this is an irrelevant talk.

श्री जगदीश प्रसाद माथुर : कानून पास होने के बाद यदि केन्द्र का कोई कानून पास होगा तो वह लागू हो जायेगा (व्यवधान)

SHRI DIPEN GHOSH: There is a move to circumvent....

THE DEPUTY CHAIRMAN: The Minister wants to reply. He wanted to react and you are interrupting him.

SHRI PRAMOD MAHAJAN: The whole discussion is irrelevant because Ram Janambhoomi... (*Interruptions*). You must hear us.

SHRI JAGDISH PRASAD MATHUR: You cannot prevent.

SHRI PRAMOD MAHAJAN: The entire discussion is irrelevant because...

SHRI MOHAMMED AFZAL *alias* MEEM AFZAL (Uttar Pradesh): It is very much relevant.

SHRI PRAMOD MAHAJAN: It is irrelevant because whatever legislation is to come before this House and the other House, the issue of Ram Janmabhoomi-Babri Masjid is out of the orbit of that legislation. So, if the U.P. Government does anything about Janambhoomi, it is not contemplated in that legislation So, the whole discussion is irrelevant. Already the Government, in their wisdom, have taken a decision. Even the Congress... (*Interruptions*).

THE DEPUTY CHAIRMAN: Take your seat. (*Interruptions*).

SHRI PRAMOD MAHAJAN: It seems, indirectly the Government.. (*Interruptions*)

श्री राम नरेश यादव : जिस पर यह बहस हो रही है, कांग्रेस पार्टी के चुनावी घोषणा पत्र में यह है कि कांग्रेस पार्टी की तरफ से इस तरह का विधेयक लाया जायेगा । (व्यवधान) जिस तरह उ० प्र० सरकार की स्थिति दिखाई दे रही है वह संवधानिक दृष्टि से विरुद्ध है ।

[श्री राम नरेश यादव]

ऐसी स्थिति होती है तो (व्यवधान) केन्द्र सरकार को कदम उठाना पड़ेगा । (व्यवधान) और सरकार कोई कदम...

SHRI PRAMOD MAHAJAN: Madam, this is the Congress manifesto.

इसमें राम मंदिर नहीं है । (व्यवधान)

THE DEPUTY CHAIRMAN: Please take your seats.

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): Madam Deputy Chairman, I will get the information from the U.P. Government and, if they are trying to do anything which goes against the spirit of the legislation that we are still discussing in the Lower House, certainly Government will look into it.

THE DEPUTY CHAIRMAN: Now, Shri R. K. Karanjia.

श्री जगदीश प्रसाद माथुर : मंत्री महोदय ने कहा है...

उपसभापति : मामला खत्म हो गया माथुर साहब । (व्यवधान)

श्री जगदीश प्रसाद माथुर : मैं पूछना चाहता हूं... (व्यवधान)

THE DEPUTY CHAIRMAN: After the Minister says, no comments... (*Interruptions*)... Please, Mr. Mathur, that matter is closed ... (*Interruptions*) ... Please, Mathur Saheb, that matter is closed: no comments. Ye Mr. Karanjia ... (*Interruptions*) ...

श्री जगदीश प्रसाद माथुर : वह गलतफहमी पैदा करने के लिये मंत्री महोदय का वक्तव्य है। (व्यवधान) यह गलतफहमी पैदा नहीं होनी चाहिये । (व्यवधान) इनको कोई अधिकार नहीं कि यह राज्य के लेजिस्लेशन को रोकें । (व्यवधान)

उपसभापति : जब वह बात होगी, तब जिक्र करियेगा । ... (*Interruptions*)... Don't speak now. Yes, Mr. Karanjia ... (*Interruptions*)... Order in the House, please. Mr. Karanjia, make your Special Mention ... (*Interruptions*)... Mathur saheb, please sit down.

SHRI SUBRAMANIAN SWAMY: He sesems to think that U.P. is Lithuania. He cannot speak like this here.

SHRI JAGDISH PRASAD MATHUR: I don't want to talk anything with Uncle Sam! ... (*Interuptions*)...

THE DEPUTY CHAIRMAN: Mr. Karanjia, please.

SPECIAL MENTIONS

Investigation of Rajiv Gandhi assassination case

SHRI R. K. KARANJIA (Nominated): Madam, I am glad to see the Home Minister present here because I am referring to the foul-up or, rather, cover up, in the case of the Rajiv Gandhi murder/assassination investigation. The Srivarasan affair is outrageous. I would like to ask the Home Minister whether there is a goof-up a foul-up or a cover-up.

Here is your most important criminal/witness, the ultimate authority, and you let him ascape as if it was, by plan, as if it was by design, as if you did not want to catch him. I mean, just look at the case. Here is the man, and all the three investigating agencies— the CBI, the Special Team and the Special Protection Force—are on the job. What would you expect them to do? You know that the super criminals are hiding in a building. You either have your commandos go in quietly to intercept them, to catch them and to bring them alive so that they can be questioned, or you drug them or you stun them. You have all the material at your